

STATE OF VERMONT
PUBLIC SERVICE BOARD

Docket No. 7568

Petition of Okemo Limited Liability Company)
for a certificate of public good: (1) authorizing)
Okemo Water Service, LLC, to own and operate)
the Kettle Brook Water System at the Okemo)
Mountain Resort in Ludlow, Vermont; (2) to)
establish rates for such service; and (3) to obtain)
financing in connection therewith)

Order entered: 12/21/2009

PREHEARING CONFERENCE MEMORANDUM AND ORDER

Okemo Limited Liability Company ("Okemo LLC") filed a petition with the Vermont Public Service Board ("Board") on August 13, 2009, seeking a certificate of public good authorizing Okemo Water Service, LLC, to operate the Kettle Brook Water System in Ludlow, Vermont as well as Board approval of proposed rates and financing. On December 8, 2009, I convened a prehearing conference in this docket at which appearances were entered by: Geoffrey Commons, Esq., for the Vermont Department of Public Service; Victoria J. Brown, Esq., of Primmer Piper Eggleston & Cramer PC for Okemo LLC; Charles L. Merriman, Esq., of Tarrant, Marks & Gillies for Kettle Brook Condominium Owners' Association ("Kettle Brook COA"); and Jon S. Readnour, Esq., of Readnour Associates, P.C., for Okemo Mountain Lodge Condominium Owners Association, Inc. ("Okemo Mountain Lodge COA").

At the prehearing conference, Kettle Brook COA and Okemo Mountain Lodge COA, two non-profit corporations whose members are unit owners of condominium projects currently receiving water service from the Kettle Brook Water System, each made a motion to intervene as a party in this docket. None of the existing parties objected to either motion, and the motions were granted. The deadline for any further motions to intervene in this docket was set for December 22, 2009, with responses to any motion due on December 29, 2009.

The parties indicated they were seeking to achieve a comprehensive settlement in this docket and in a related docket (No. 7552) and requested that further proceedings in this docket be delayed for a 90-day period while they conducted negotiations for this purpose. Okemo LLC, Kettle Brook COA and Okemo Mountain Lodge COA are to provide a brief report to the Department and the Board as to the status of negotiations on February 1, 2010, and if a settlement is achieved they will advise the Department and Board to that effect by March 15, 2010. If the parties are unable to reach a settlement in this docket, the parties, either jointly or severally, shall file recommendations for a proposed schedule for this proceeding by March 15, 2010.

SO ORDERED.

Dated at Montpelier, Vermont, this 21st day of December, 2009.

s/Lars Bang-Jensen

Lars Bang-Jensen
Hearing Officer

OFFICE OF THE CLERK

FILED: December 21, 2009

ATTEST: s/Susan M. Hudson
Clerk of the Board

NOTICE TO READERS: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: psb.clerk@state.vt.us)